

**CITY OF KINGMAN
MEETING OF THE COMMON COUNCIL
Council Chambers
310 N. 4th Street**

6:00 P.M.

AGENDA

Monday, May 17, 2010

REGULAR MEETING

CALL TO ORDER & ROLL CALL

INVOCATION will be given by Pastor Mark Rice of the Journey Church

PLEDGE OF ALLEGIANCE

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

1. APPROVAL OF MINUTES

The Regular Meeting minutes of May 3, 2010.

2. APPOINTMENTS

Parks and Recreation Commission Appointment Recommendation

The Parks and Recreation Commission recently had a member resign from the commission. At its regular meeting in the month of April, the commission reviewed available Boards and Commissions applications. After discussion the members unanimously agreed to recommend that Council appoint Sydney Bailey to fill the vacancy. **Staff recommends Sydney Bailey be appointed to fill the remainder of Commissioner Dan Del Monaco's term, which will expire in 2011.**

3. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments should be limited to no longer than 3 minutes.

4. CONSENT AGENDA

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

a. Off-Track Pari-mutuel Wagering Permit

Agent and Applicant Sharon Fischer of Yavapai Downs requests renewal of the Yavapai Downs Off-Track Pari-mutuel Wagering permit at the Cerbat Hills Sports Bar & Grill, 3631 Stockton Hill Road, Kingman for the dates of May 29, 2010 to September 4, 2012. Yavapai Downs operates off track wagering during the summer months when Turf Paradise does not operate off track wagering. **Staff recommends approval.**

b. Release of Deed Conditions, 4655 Interstate Way

Mr. and Mrs. Eric Wolsey (Blue Moon Transportation) purchased Parcels IV-O-A-B-B, a total of 4.76 acres in January 2006. Since then they have partnered with Mr. and Mrs. Franco, constructed a

30,000 square foot building, and met the minimum employment and drainage structure requirements as specified in the deed restrictions for the sale of the site. They are requesting a release of the deed conditions. **Kingman Airport Authority staff recommends the approval of the Release of Deed Conditions for Parcels IV-O-A-B-A and IV-O-A-B-B.**

c. Indigent Counsel Agreement

The current agreement between The City and Whitney and Whitney PLLC will expire 6-30-2010. The Court would ask the Council to approve renewal of the contract for a one year period. The parties have agreed there will be no increase in payment for services. **Staff recommends renewal of the agreement.**

d. Approval of Enhancement Fund Expenditure

The Court currently has a video system installed in one courtroom to hear cases involving defendants who are in custody. Additionally, the system allows for communication between other courts and agencies. Given the increased demand for court hearings, it is necessary to install a video system in our second courtroom. Effective January 1, 2010, the Arizona Supreme Court has also adopted new rules all courts must follow for video hearings which will require several enhancements to our existing courtroom technology if we are to continue to use this process for those qualified hearings. Funds are available through our local Court Enhancement Fund. Pursuant to City Ordinance, the Council must appropriate the funds. **Staff recommends appropriation of funds for video system.**

e. Resolution #4683 – Revise Exhibit “B” - Personnel Classification Schedule

Attached Resolution #4683 revises Exhibit ‘B’ - Personnel Classification of the Compensation & Classification Plan. Changes to the Classification schedule were discussed by the various departments during the budget workshop held on April 12, 2010. Adopting the attached resolution will modify the classification schedule by:

- Adding 4 new FTE in the Wastewater division of the Public Works Department. New classification job titles were added as Wastewater Treatment Plant Operator I, II, III, and IV. Additionally, the job titles of the Wastewater Technician A and B have been changed to Wastewater Collections A and B.
- Adding a Project Manager in the HURF department and a Project Manager in the Engineering department. These classifications are filled from employees vacating other unfunded positions; therefore this change does not affect the FTE total.
- Abolishing the job title of Animal Control Officer in the Police Department and merging those duties and responsibilities with the Neighborhood Services Officer classification. The Exhibit also reflects the job title change of the Neighborhood Services Officer classification to the job title of Code Enforcement Officer.
- Funding the third Assistant City Engineer classification and changing the .75 FTE Assistant Engineer to a full time FTE. The third Assistant City Engineer classification has been authorized for several years and included in the FTE total, but has not been funded. The effect of this change adds .25 FTE.
- Setting the total number of authorized full time positions for Fiscal Year 2010/2011 at 375.5 FTE; however, 38.5 of those will not be funded.

As discussed during the budget workshop, there is no change to the City’s salary structure therefore

Exhibit “A” – Salary Structure of the Compensation & Classification plan is not attached and shall remain the same during FY 2010-2011.

The City Manager expresses the desire to once again provide an additional 4 hours of holiday leave with pay on Christmas Eve holiday, to be recognized on December 23, 2010. The City’s current personnel policy provides employees 4-hours of holiday pay on either Christmas Eve or New Year’s Eve. Allotting an additional 4 hours holiday on the Christmas Eve holiday, and not recognizing the New Year’s Eve holiday, will have a minimal fiscal impact of approximately \$10,000.

Should Council adopt this benefit again this year, City offices will be closed all day Thursday, December 23, 2010 for the Christmas Eve holiday and all day Friday, December 24, 2010 in recognition of Christmas Day holiday (Christmas day falls on Saturday in 2010) with the exception of emergency services and commercial sanitation service. Timely notification will be provided to the public. **Staff recommends adoption of Resolution #4683.**

f. Acceptance of Work for Engineering Contract #ENG09-018 Tank Construction and Restoration. Encompassing the Following (3) Projects, ENG08-051, ENG09-040 and ENG09-041

Paso Robles Tank Inc. has completed the work under the contract as described in ENG09-018. **Staff recommends acceptance of this contract and authorization to make final payment to Paso Robles Tank Inc.**

g. Acceptance of Grant of Water Line Easement for the Offsite Water Line Construction for the Bokari Medical Building At 890 Airway Avenue

Construction of the Bokari Medical Building at 890 Airway Avenue requires the construction of a new offsite water line on the adjacent property to the east owned by Kingman Regional Medical Center (KRMC). The water line improvements are outside of the existing utility easements and right-of-way. KRMC is offering to grant a water line easement for the new water line. **Staff recommended that the Mayor be authorized to sign the Acceptance of this Grant of Water Line Easement.**

h. Recommendation from the Tourism Development Commission (TDC) for the Quarterly Payment to the Kingman Area Chamber of Commerce for Tourism Services

The tourism contract between the City of Kingman and the Kingman Area Chamber of Commerce specifies that a quarterly payment be made to the Chamber of Commerce in the amount of \$45,000 upon submission and acceptance of the Tourism Quarterly Report. The most recent quarterly report was submitted and accepted by TDC at the May 6, 2010 meeting and is attached for your review.

TDC recommends Council approve the quarterly payment to the Kingman Area Chamber of Commerce for tourism related services.

i. Resolution No. 4688 – FY2010-2011 Kingman Area Chamber of Commerce Tourism Agreement

On an annual basis, the City of Kingman provides funding via the City’s Tourism Development Commission to the Kingman Area Chamber of Commerce Office of Tourism for the purpose of promoting Kingman. The funding source for this agreement is derived from a 2% room tax that is collected and remitted by local hotels and motels. This agreement calls for the Chamber’s Tourism Office to operate the Tourism Information Center, coordinate special events, create and maintain a yearly calendar of community events, and assure adequate funds are available for employment of a

Tourism Director. The Chamber also agrees to provide a quarterly accounting of all funds expended in association with this contract. **The proposed agreement has been reviewed by the Chamber of Commerce Board as well as the City's Tourism Development Commission and it is recommended Council authorize the Mayor to sign the Funding Agreement.**

j. Resolution No. 4684 – Authorizing the Mayor to Sign an Inter-Governmental Agreement (IGA) with the Mohave County Flood Control District Governing the disbursement of District Tax Revenues for Flood Control Projects Within the City of Kingman

The Mohave County Flood Control District annually executes an IGA with the City of Kingman outlining projects eligible for flood control tax funds collected by the district. This year the city will receive \$870,424.00. This money is dedicated to the following projects: Land and right-of-way acquisition for various drainage related projects, including the Railroad Drainage Diversion Channel, Golden Gate Improvement District, Eastern Street Improvements, and Glen Road Improvements; Bull Mountain Channel right-of-way acquisition; construction of street and drainage improvements on South Fourth Street between the Railroad tracks and Andy Devine Avenue; channel erosion protection and drainage improvements at various drainage channels throughout the City; Fripps Detention Basin; storm drain along Coronado Avenue from Irving Street to the Mohave Wash; design and construction of curb, gutter, and catch basin on Last Avenue to solve on-going drainage problems; and Downtown Plant box culvert and channelization. **Staff recommends approving Resolution No. 4684 authorizing the Mayor to sign an IGA with the Mohave County Flood Control District governing the disbursement of district tax revenues for flood control projects within the City of Kingman.**

k. Purchase of MAGNET/HIDTA Vehicle Lease

MAGNET (Mohave Area General Narcotics Enforcement Team) is using HIDTA (High Intensity Drug Trafficking Area) funds to lease a 2007 Chevrolet Tahoe that is utilized by Lieutenant Mark Chastain, MAGNET Commander. The lease is due to expire July 11, 2010. The vehicle is valued at \$32,000.00 due to low mileage and excellent condition. The lease buy-out price is \$25,401.09. HIDTA funds of \$18,115.00 will be used to facilitate the purchase of the Tahoe. The remaining balance of \$7,286.09 will be provided by the City of Kingman RICO funds held by the Mohave County Attorney's Office. **Staff recommends authorizing the purchase of the 2007 Tahoe utilizing HIDTA and RICO funds for a total of \$25,401.09**

l. Resolution 4687---Kingman Good Samaritan Association Agreement

On an annual basis during the budget process, the City of Kingman has historically appropriated some funding to two non-profit organizations that help citizens and transients in need of assistance. The two non-profit organizations have recently been combined into one organization, the Kingman Good Samaritan Association. The budget for FY2010-11 includes a \$20,000 appropriation to the Kingman Good Samaritan Association to help provide this assistance to those in need. Attached is a proposed agreement between the City of Kingman and the Kingman Good Samaritan Association that would be effective for next fiscal year. This agreement has been reviewed and approved by the Kingman Good Samaritan Association board. **Staff recommends Council approve Resolution 4687 thereby authorizing the Mayor to sign a funding agreement between the City of Kingman and the Kingman Good Samaritan Association.**

5. **OLD BUSINESS**

a. **PUBLIC HEARING – Resolution No. 4682 – Adoption of Fiscal Year 2010/2011 Budget and Capital/Infrastructure Improvements Plan**

The public hearing and adoption of the final budget and CIP represents the next step in the budget process. Council may make additional modifications prior to adoption of the final budget, but may not increase the budget above the appropriations set in the tentative budget (\$196,728,883). The final budget includes approximately \$45 million for operating budgets, \$13 million in cash transfers between funds, and the balance appropriated for capital projects, grants, and debt service payments. The State of Arizona's Economic Estimates Commission has reported the City's expenditure limitation to be \$40,140,741. The City's final budget, after Home Rule and constitutional exclusions is estimated to be about \$6.4 million below the State Expenditure Limitation. **Staff recommends Council hold the public hearing; make any additional changes, then adopt Resolution 4682 and the FY2010-2011 Final Budget and Capital/Infrastructure Improvements Plan.**

b. **Economic Development Marketing Small Business Workshop Report**

Members of the Economic Development Marketing Commission (EDMC) Shop Kingman Subcommittee wish to make a presentation regarding the Shop Kingman Small Business Workshop held on April 21, 2010

6. **NEW BUSINESS**

a. **Resolution 4685 Animal Control Fee Schedule**

On an annual basis, the City of Kingman reviews and appropriates funding for animal control services during the budget process. Subsequently, Council authorizes an Intergovernmental Agreement with Mohave County for animal control services within the City limits of Kingman. Mohave County has increased its fees assessed to the City of Kingman for animal control services and therefore, the City needs to modify its fee schedule to balance those costs. The proposed fees mirror the fees assessed by Mohave County and are comparable to the fees charges in Bullhead City and Lake Havasu City. **It is recommended Council approve Resolution 4685 authorizing the new animal control fee schedule.**

b. **Resolution No. 4681 – for Mohave County Animal Control IGA**

Mohave County has submitted a new IGA for animal control services and shelter. The attached IGA outlines the responsibilities and costs for each entity associated with the IGA. Of note, impoundment services will increase to \$15.00 per day throughout fiscal year 2011 and to \$18.00 per day effective fiscal year 2012. **Staff recommends that the Mayor be authorized to sign the IGA on behalf of the City of Kingman.**

7. **ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

If needed

ADJOURNMENT

Posted _____ by _____